

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ADA JOANN EMERY, Personal	)	Case No. 8:15cv3009
Representative of the Estate of	)	
PHILLIP WAYNE WALKER,	)	
Deceased,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
COUNTY OF DAKOTA, a Nebraska	)	
Political Subdivision; and DOES 1-5,	)	
in their individual and official capacities,	)	
	)	
Defendants.	)	

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**AFFIDAVIT OF VINCENT VALENTINO**

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STATE OF NEBRASKA            )  
  ) ss  
COUNTY OF LANCASTER        )

I, Vincent Valentino, being first duly sworn upon oath, and make these statements from my personal knowledge, depose and state as follows:

1. That I am of lawful age and have personal knowledge of the facts stated herein.
2. That I am an attorney licensed to practice law in the Nebraska state and federal courts, and I am one of the attorneys representing the County of Dakota, Nebraska, in the above-captioned matter.
3. That on October 19, 2015, I took the depositions of witnesses Claribel Vizcarra and Blake Hoch. Attached hereto as Exhibit A are selected pages from Ms. Vizcarra's testimony, and attached hereto as Exhibit B are selected pages from Mr. Hoch's

testimony.

4. That on October 21, 2015, I took the deposition of witness Schelese Myott. Attached hereto as Exhibit C are selected pages from Ms. Myott's testimony.
5. That on December 9, 2015, I took the depositions of Officer Chad Clausen, Dr. James Quesenberry, and Dr. Matthew Johnson. Attached hereto as Exhibit D are selected pages from Mr. Clausen's testimony. Attached hereto as Exhibit E are selected pages from Dr. Quesenberry's testimony. Attached hereto as Exhibit F are selected pages from Dr. Johnson's testimony.
6. That I utilized the Google Earth website to access several different views of satellite imagery of areas pertinent to the events in this case to use as demonstrative exhibits with deposition witnesses for purposes of the above-captioned case. I also obtained genuine copies of items from the case files of the South Sioux City Police Department regarding Phillip W. Walker for use as deposition exhibits in the above-referenced case. Attached hereto as Exhibit G are several exhibits identified and utilized by the witnesses at the above-referenced depositions, namely the following:
  - Deposition Exhibit No. 1: Google Earth photo "street view" of area outside the Taco Bell at 810 Dakota Ave, South Sioux City, NE with handwritten markings of Blake Hoch;
  - Deposition Exhibit No. 2: Google Earth photo "street view" of area outside the Taco Bell at 810 Dakota Ave, South Sioux City, NE with handwritten markings of Blake Hoch;
  - Deposition Exhibit No. 3: Google Earth photo "street view" of area outside the Taco Bell at 810 Dakota Ave, South Sioux City, NE with handwritten markings of Blake Hoch;
  - Deposition Exhibit No. 4: Google Earth photo "street view" of area outside the Taco Bell at 810 Dakota Ave, South Sioux City, NE with

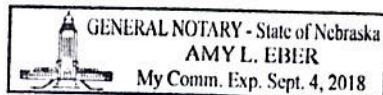
- handwritten markings of Claribel Vizcarra in red, and Blake Hoch in black;
- Deposition Exhibit No. 11: Handwritten statement of Claribel Vizcarra submitted to South Sioux City Police Department;
- Deposition Exhibit No. 13, duplicate copy marked as
- Deposition Exhibit No. 22: CD/ROM containing audio recording of 911 calls placed by Blake Hoch and Schelese Myott regarding Phillip Walker on January 16, 2013;
- Deposition Exhibit No. 16: Google Earth photo of "street view" of area outside the Taco Bell at 810 Dakota Ave, South Sioux City, NE;
- Deposition Exhibit No. 18: Google Earth photo of "street view" of area outside the Taco Bell at 810 Dakota Ave, South Sioux City, NE;
- Deposition Exhibit No. 19: Google Earth photo of "overhead view" of Taco Bell at 810 Dakota Ave, South Sioux City, NE;
- Deposition Exhibit No. 20: Handwritten statement of Schelese Myott submitted to South Sioux City Police Department with ariel map;
- Deposition Exhibit No. 21: Report of Sioux City Police Department concerning interview with Schelese Myott;
- Deposition Exhibit No. 23: Three color booking photos of Phillip W. Walker from Sioux City Police Department;
- Deposition Exhibit No. 25: Offense Report prepared by Officer Chad Clausen of Sioux City Police Department regarding civil protective custody hold on Phillip W. Walker on January 16, 2013;
- Deposition Exhibit No. 26: Final Autopsy Report for Phillip W. Walker.

7. That attached hereto as Exhibit H is a genuine copy of Plaintiff's original and supplemental Responses to Defendant's Interrogatory Nos. 11, 12, 13, 15 and 16 in the above-captioned case.

FURTHER AFFIANT SAITH NOT.

  
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Vincent Valentino

Subscribed and sworn to before me this 19<sup>th</sup> day of February, 2016.



  
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Notary Public